

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MELANIE SYKES, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

TSG INTERACTIVE US SERVICES LIMITED
d/b/a PokerStars,

Defendant.

Case No. 1:23-cv-07210

BRIAN TUCKER, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

TSG INTERACTIVE US SERVICES LIMITED
d/b/a PokerStars,

Defendant.

Case No. 7:23-cv-07265

**~~PROPOSED~~ ORDER GRANTING PLAINTIFFS'
MOTION TO APPOINT INTERIM CO-LEAD CLASS COUNSEL AND SET
SCHEDULE FOR FILING OF CONSOLIDATED COMPLAINT**

This matter comes before the Court on Plaintiffs' Motion to Consolidate Cases, Appoint Interim Co-Lead Class Counsel and Set Schedule for Filing of Consolidated Complaint ("Motion"). The Court being fully advised and for good cause shown, the Motion is hereby **GRANTED**.

Therefore, **IT IS ORDERED** that that, having given due consideration to the relevant factors set forth in Rule 23(g)(1)(A)(i)-(iv), and finding that the proposed counsel meet the adequacy requirements thereunder, Jeff Ostrow, Gary M. Klinger, and Rachel Dapeer are appointed as Interim Co-Lead Class Counsel, in accordance with Rule 23(g)(3).

Plaintiffs' Interim Co-Lead Class Counsel will be responsible for and have plenary authority to prosecute any and all claims of Plaintiffs and the putative class and to provide general supervision of the activities of Plaintiffs' counsel in the Consolidated Action. Specifically, Interim Co-Lead Class Counsel shall have the following responsibilities, duties and sole authority to:

- a. Draft and file the master consolidated complaint, and have final authority regarding what claims and parties are to be included;
- b. Determine and present in pleadings, briefs, motions, oral argument, or such other fashion as may be appropriate, personally or by a designee, to the Court and opposing parties the position of Plaintiffs and the putative class on matters arising during the pretrial proceedings;
- c. Coordinate and conduct discovery on behalf of Plaintiffs and the putative class consistent with the requirements of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of New York;
- d. Consult with and employ consultants and/or expert witnesses;
- e. Draft and file a motion for class certification on behalf of Plaintiffs and the putative class;
- f. Conduct all pre-trial proceedings on behalf of Plaintiffs and the putative class;
- g. Enter into stipulations and agreements with Defendant;

- h. Sign all papers filed on behalf of Plaintiffs and the putative class;
- i. Convene meetings of all Plaintiffs' counsel, as necessary;
- j. Form task-specific subcommittees of Plaintiffs' counsel, as appropriate;
- k. Conduct settlement negotiations with Defendant;
- l. Maintain an up-to-date service list of all Plaintiffs' counsel for all consolidated cases, and promptly advise the Court and Defendant's counsel of changes thereto;
- m. Receive and distribute to Plaintiffs' counsel, as appropriate, discovery, pleadings correspondence, and other documents from Defendant's counsel or the Court that are not electronically filed;
- n. Appear at Court-noticed status conferences and hearings;
- o. Be the contact persons for all plaintiffs' counsel and as the attorneys of record with whom the Court will be dealing throughout the course of the litigation;
- p. Delegate specific tasks to other plaintiffs' counsel in a manner to avoid duplicative efforts and ensure that pretrial preparation for Plaintiffs and the putative class is conducted effectively, efficiently, and economically;
- q. Otherwise coordinate the work of all plaintiffs' counsel, and perform such other duties as the Interim Co-Lead Class Counsel deem necessary to advance the litigation or as authorized by further Order of the Court;
- r. Maintain and collect time and expense records for work performed, time billed, costs incurred and other disbursements made by Plaintiffs' counsel whose work Interim Co-Lead Class Counsel has specifically authorized, and submit at the Court's request, in writing, *ex parte* and *in camera* reports to the Court regarding time billed in the prosecution of this action;
- s. Fund the necessary and appropriate costs of discovery and other common benefit efforts; and
- t. Perform such other functions as necessary to effectuate these responsibilities or as may be expressly authorized by further Order of the Court.

It is the Court's intent that, as to all matters common to these coordinated cases, and to the fullest extent consistent with the independent fiduciary obligations owed by any and all Plaintiffs' counsel to their clients and any putative class, pretrial proceedings shall be conducted by and through Interim Co-Lead Class Counsel.

IT IS FURTHER ORDERED that all other plaintiffs' counsel who are or may become involved in the Consolidated Action are prohibited from taking any action on behalf of the putative class in this Consolidated Action without advance authorization from Interim Co-Lead Class Counsel, except for an application to modify or be relieved from this Order.

IT IS FURTHER ORDERED that the mere communication of otherwise privileged information among and between Plaintiffs' counsel shall not be deemed a waiver of the attorney-client privilege or the attorney work product immunity, as the Court recognizes that cooperation by and among counsel is essential for the orderly and expeditious resolution of this litigation.

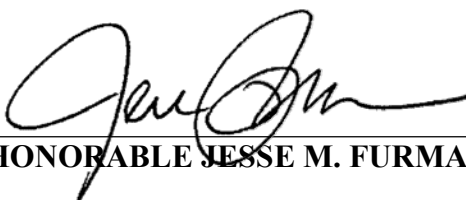
IT IS FURTHER ORDERED that counsel for all parties are directed to cooperate with one another, wherever possible, to promote the expeditious handling of pre-trial proceedings in the Consolidated Action, and to conduct themselves in a manner consistent with the Local Rules of the United States District Court for the Southern District of New York.

IT IS FURTHER ORDERED that Plaintiffs in this action shall file a Consolidated Class Action Complaint within 30 days of this Order, and Defendant's response thereto shall be due 30 days after the Consolidated Class Action Complaint is filed. [The Initial Pretrial Conference scheduled for November 14, 2023 is hereby adjourned until January 23, 2024 at 9:00 a.m.](#)

It is hereby **ORDERED** that this Order shall apply to any action filed in, transferred to, or removed to this Court which relates to the subject matter at issue in this case.

SO ORDERED.

Dated: [October 10](#), 2023


HONORABLE JESSE M. FURMAN